

## REPORT OF THE COMMITTEE ON ZONING AND BUILDING

June 17, 2008

The Honorable,  
The Board of Commissioners of Cook County

### ATTENDANCE

Present: President Stroger and Chairman Silvestri, Vice Chairman Murphy, Commissioners Beavers, Butler, Claypool, Collins, Daley, Gorman, Goslin, Maldonado Moreno, Peraica, Quigley, Schneider, Steele and Suffredin (16)

Absent: Commissioner Sims (1)

Ladies and Gentlemen:

Your Committee on Zoning and Building, having had under consideration the matter hereinafter mentioned, respectfully reports and recommends as follows:

### SECTION 1

Your Committee has considered the following item and upon the adoption of this report the recommendation is as follows:

289040      DOCKET #8308 – J. PETITO, Owner, Application (No. V-07-78): Variation to reduce north side yard setback from 10 feet to 2 feet 6 inches for a one story attached garage addition in the R-5 Single Family Residence District. At the present time the applicant is storing a bobcat, which he is renting out for commercial uses. This is not an allowable use in a residential zone. The Zoning Board of Appeals felt that the applicant did not prove a hardship to build an additional garage of approximately 550 square feet in addition to his approximate 240 square foot garage. The subject property consists of approximately 0.21 of an acre, located on the west side of Linden Avenue, approximately 54 feet south of Gregory Street in Norwood Park Township, County Board District #9. **Recommendation: To remand the application to the Zoning Board of Appeals to consider amendments to the plan.**

Conditions: None

Objectors: Two (2) neighbors spoke against allowing a 2 feet 6 inches side yard setback stating that this was not the trend of development in this neighborhood, although there are two-car garages, but none of them come within 2 feet 6 inches of the lot line.

**\*Deferred at the Board meeting of September 6, 2007.**

Vice Chairman Murphy, seconded by Commissioner Steele, moved to remand Communication No. 289040 to the Zoning Board of Appeals. The motion carried unanimously.

## **SECTION 2**

Your Committee has considered the following items and upon the adoption of this report the recommendations are as follows:

291776         DOCKET #8379 – E. & G. CHENSOFF, Owners, Application (V-08-02): Variation to increase height of fence in front and corner yards from 3 feet to 8 feet for a new fence in the R-3 Single Family Residence District. The subject property consists of approximately 0.61 of an acre, located immediately west of Ridge Road, where it intersects Indian Hill Road (private road) in New Trier Township, County Board District #14.  
**Recommendation: That the application be granted.**

Conditions: None

Objectors: None

**\*Deferred at the Board meeting of February 6, 2007.**

294583         DOCKET #8430 – S. & J. DILLANE, Owners, Application (No. V-08-50): Variation to reduce lot area from 20,000 square feet to 16,285 square feet (existing); reduce right side yard setback from 15 feet to 10 feet (existing); and reduce front yard setback from 40 feet to 23 feet for a proposed garage addition in the R-4 Single Family Residence District. The subject property consists of approximately 0.37 of an acre, located on the north side of 54th Street, approximately 125 feet east of Howard Avenue in Lyons Township, County Board District #16.  
**Recommendation: That the application be granted.**

Conditions: None

Objectors: None

294584         DOCKET #8434 – P. WIATR, Owner, Application (No. V-08-52): Variation to reduce both side yard setbacks from 10 feet to 2.6 feet for a detached garage in the R-5 Single Family Residence District. The subject property consists of approximately 0.07 of an acre, located on the west side of South Linder Avenue, approximately 172 feet north of 51st Street in Stickney Township, County Board District #11.  
**Recommendation: That the application be granted.**

Conditions: None

Objectors: None

294585      DOCKET #8435 – DR. SULEIMAN, Owner, Application (No. V-08-53): Variation to reduce front yard setback from 30 feet to 27 feet for a proposed doctor's office in the C-1 Restricted Business District. The subject property consists of approximately 0.42 of an acre, located on the west side of Greenwood Avenue, approximately 137 feet south of Davis Street in Maine Township, County Board District #9. **Recommendation: That the application be granted.**

Conditions:   None

Objectors:    None

294586      DOCKET #8436 – K. DE MAY, Owner, Application (No. V-08-54): Variation to reduce right interior side yard setback from 15 feet to 7.5 feet (existing); and reduce left interior side yard setback from 15 feet to 7.6 feet (existing) for an existing single family residence and existing accessory buildings in the R-4 Single Family Residence District. The subject property consists of approximately 1.69 acres, located on the north side of Chicago Avenue, approximately 100 feet northeast of King Arthur Court in Hanover Township, County Board District #15. **Recommendation: That the application be denied.**

Conditions:   None

Objectors:    Two neighbors appeared and objected.

294587      DOCKET #8437 – A. & E. INGRAO, Owners, Application (No. V-08-37): Variation to reduce rear yard setback from 50 feet to 41 feet (existing) for a deck in the R-4 Single Family Residence District. The subject property consists of approximately 0.30 of an acre, located on the east side of Marion Street, approximately 196 feet south of Pratt Boulevard in Schaumburg Township, County Board District #15. **Recommendation: That the application be granted.**

Conditions:   None

Objectors:    None

**Vice Chairman Murphy, seconded by Commissioner Goslin, moved the approval of Communication Nos. 291776, 294583, 294584, 294585, 294586 and 294587. The motion carried.**

**Commissioner Schneider voted Present on Communication No. 294586.**

### **SECTION 3**

Your Committee has considered the following item and upon the adoption of this report the recommendation is as follows:

294365      AN AMENDMENT TO THE COOK COUNTY BUILDING ORDINANCE, AMENDING THE DEFINITION OF BUILDING HEIGHT (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Gregg Goslin and Peter N. Silvestri, County Commissioners.

#### **PROPOSED ORDINANCE AMENDMENT**

##### **AMENDMENT TO THE DEFINITION OF BUILDING HEIGHT**

**WHEREAS**, the definition of building height in the Cook County Building Ordinance is ambiguous and contradictory on the issue of measuring height in the absence of curbs; and

**WHEREAS**, due to this oversight significant grade changes have become an ongoing problem in unincorporated Cook County going forth relatively unfettered by County Ordinance; and

**WHEREAS**, a small change in the definition of building height will address this contradictory language by clarifying the manner in which building height is measured when there is no curb present.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that the Cook County Building Code be amended as follows:

##### **BUILDING CODE ARTICLE III RULES AND DEFINITIONS**

**Building Height:** is the vertical distance measured from the ~~curb level or its equivalent opposite the center~~ existing lot grade five feet in front of the center of the front of the building, to the highest point of the under side of the ceiling beams in the case of a flat roof; to the deck line of a mansard roof; and the mean level of the under side of the rafters between the highest eaves and the ridge of a gable, hip, shed, gambrel, or any other pitched roof. ~~Where no curb level has been established the height of a building shall be measured from the mean elevation of the existing lot grade at the front of the building.~~

**\*Referred to the Committee on Zoning and Building on 6/3/08.**

Commissioner Goslin, seconded by Commissioner Quigley moved to suspend the rules Section 2-108 (h)(1) of the County Code to consider Communication No. 294365. The motion carried unanimously.

Commissioner Goslin, seconded by Commissioner Steele, moved the approval of Communication No. 294365. The motion carried unanimously.

Commissioner Steele, seconded by Commissioner Beavers, moved to adjourn. The motion carried and the meeting was adjourned.

Respectfully submitted,  
Committee on Zoning and Building

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Peter N. Silvestri, Chairman

Attest:

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Matthew B. DeLeon, Secretary